

HUGHES SIGNS RECOUNT BILL

FAILURE TO TEST CANVASS A PUBLIC SCANDAL, HE SAYS.

Widespread Doubt as to Accuracy of Count Must Be Removed—Takes It for Granted Ballots Have Been Preserved Inviolable—Supplemental Bill Needed.

ALBANY, June 18.—The Hearst majority recount bill was signed to-night by Gov. Hughes. The Governor filed this memorandum:

"It is the object of this bill as summarily as possible to dispose of a controversy which should have been settled long ago.

"In the Mayoralty election in New York city in 1905 about 647,000 votes were cast, of which, according to the official canvass, George B. McClellan received 228,897 and William Randolph Hearst 224,823. The accuracy of the canvass was challenged. The election law provides that the ballots shall be preserved inviolate for six months after the election and that the boxes may be opened and their contents examined upon the order of the Supreme Court or one of its Justices, or of a county judge. On the assumption that the Supreme Court had power to compel summarily any needed correction of the canvass an application was made for a mandamus. This was granted. The case was then taken to the Court of Appeals, where, on December 13, 1905, by a divided court, it was held that the election law did not authorize a summary recount after the original canvass had been completed.

"Following this decision an effort was made during the session of 1906 to obtain legislation providing for a summary recount. This was without result. In April, 1906, Mr. Hearst made an application to the Attorney-General to have an action brought to determine the title to the office. The Attorney-General denied the application, holding that the facts presented did not warrant his intervention. On April 30, 1906, the Supreme Court made an order for the preservation of the ballots. In July, 1906, after the Attorney-General's ruling, the Corporation Counsel moved to set aside this order, but the motion was denied, and its denial affirmed on appeal. Under this order it must be assumed, until the contrary appears, that the ballots have been duly preserved.

"It is contrary to all who are conversant with sentiment in the city of New York that there is widespread doubt as to the accuracy of the official canvass. The failure to resolve that doubt and to determine in a prompt and decisive manner satisfactorily to all fair minded citizens the result of the election has become a grave public scandal. The denial of all relief either under the existing law or through appropriate legislation for the ascertainment of the fact whether the votes had been lawfully counted as cast, has brought our law into contempt and created a grievance shared by many thousands of our fellow citizens who believe that a great wrong has been committed which it is the duty of those charged with the enactment of laws to repair.

"We need not concern ourselves with the origin of this belief or the causes of its prevalence. It is enough that it exists. In the public interest and for the sake of the credit of our institutions this matter must be settled.

"The present Attorney-General has brought an action in the nature of quo warranto to try the title to the office. But that litigation must necessarily be protracted; and unless all parties should agree to facilitate its conclusion it is susceptible of delays making it well nigh interminable. The public has no interest in awaiting a long drawn out contest with cumbrous procedure and under a form of action ill suited to a controversy of this magnitude. What is needed is a disposition of this matter in as summary a manner as can be devised.

"This bill does not alter a vote or change any rule of law relating to the validity of any vote. It simply provides for a recount of the votes validly cast in accordance with the law existing at the time of the election. If the result of this recount is to establish the election of Mayor McClellan, it will largely reestablish confidence in our election methods and make the more unlikely the recurrence of a similar situation. If, on the other hand, the recount should show that Mr. Hearst was elected, every fair minded citizen, whatever his political convictions, would rejoice that the fear of establishing a precedent did not prevent the righting of a wrong and the giving of the office to the man who was entitled to it.

"The bill provides only for a recount of such districts as are specified in the petition. The demand for a right to recount other districts must rest upon the ground that if the ballot boxes of the other districts were opened inaccuracies in the count would be found. Then opposing, in May, 1906, the application to the Attorney-General for the bringing of an action of quo warranto, the Mayor averred that according to his information and belief all the votes cast for the office of Mayor had been truly counted as cast, and he denied that they had been illegally canvassed.

"The theory of this bill was that the contestant should define the grievance, point out the districts where it was claimed the canvass was inaccurate, and that the votes in those districts should be promptly recounted and all questions should be summarily determined by the court. This, of course, would absolutely settle the matter as far as the contestant was concerned, and the opening of the boxes did not bear out his allegations the controversy would be ended.

"But the Mayor, who has received the certificate of election, should not be put to disadvantage. It has been suggested that inaccuracies in the official canvass might be found in districts not specified by the contestant, which might offset or nullify any favorable results gained by the contestant in opening the boxes specified by him. It is desirable that no question should be left as to the fairness of the result. Should the contestant in his petition fail to specify all the districts the right should be given to the Mayor to procure the recount of any districts not mentioned.

"It is also evident that the cost of a can-

WE GIVE \$40,000,000 TO CHINA

PRESIDENT TO REMIT INDEMNITY IF CONGRESS CONSENTS.

Except Actual Loss of This Government and American Missionaries. Most of Which Has Been Paid—Retiring Chinese Minister Has Been Paid—Blow to Powers.

WASHINGTON, June 18.—If Congress shall consider the matter of the Chinese indemnity in the same altruistic manner as the President does this Government will make to the Celestial Empire in the near future practically a present of something more than \$40,000,000.

As a word of farewell to the Chinese Minister, Sir Chen Tung Liang Cheng, who is soon to return to China to become vice-president of the Foreign Office at Peking, the State Department has advised him that it is the wish of this Government to remit all claims for indemnity against China on account of the Boxer troubles, except the actual cost to the United States incident to the Peking campaign and the loss sustained by American missionaries. This amounts to about \$11,000,000 only.

It is the intention of the President to recommend in his next annual message to Congress that all further demand for indemnity on the part of this country be relinquished. Inasmuch as the award was made by an international commission and sanctioned by treaty agreement between this country and China, it will be necessary for Congress to authorize the President to cancel all claims in excess of the two items stated.

The amount which the United States is entitled to receive and which China has obligated herself to pay is \$20,000,000, which together with interest running for a period of thirty-nine years would aggregate approximately \$54,000,000. The claims of the missionaries originally were about \$10,000,000, but they were shaved down and the water squeezed out so that the final sum allowed them was not far from \$2,000,000. This amount China has paid. In addition she has paid about \$4,000,000, which has been turned into the Treasury to reimburse the United States on account of our assistance in putting down the rebellion and relieving and protecting the lives and property of American citizens.

This leaves only about \$5,000,000 yet to be paid to the United States. The amount is being paid off at the rate of a million a year or thereabout. Should the United States demand any more it would be entirely "velvet," and this the United States, as the good friend of China, does not desire to exact. Hence the President will ask Congress for authority to relinquish the claim.

This action is likely to produce consternation among the United Powers, all of whom put in large bills and forced China to agree to pay them when she was not in a position to refuse. Practically all of them, it is said, were far in excess of the actual loss sustained, and they are certain to be embarrassed by the course of this country in proposing to remit all charges except actual cost and a sufficient sum to remunerate the missionaries for their losses.

The President has decided upon this recommendation after careful consideration of the subject, and his determination is so firmly fixed that it was regarded as not going too far to inform the Chinese Minister officially before he left Washington.

This action, it is believed, will not only more firmly cement the friendly relations between the United States and China, but will give the United States an immense prestige in its dealings hereafter with China.

Boston, June 18.—Sir Chen Tung Liang Cheng, the retiring Chinese Minister, who was here to-day, said he was much pleased over President Roosevelt's decision to ask Congress to reduce the indemnity China had obligated herself to pay.

"I shall make public," Sir Chen said, "the contents of an official note which I received from Secretary Root last Saturday night which shows better than anything else on the subject the high sense of justice which the United States has used in all its dealings with China. You remember that after the Boxer troubles China agreed to pay an indemnity of \$20,000,000 on account of the losses entailed by the United States Government as well as for personal property lost by Americans citizens during the Boxer campaign. Four years ago your Government was good enough to promise me that when the time arrived, as a token of sincere friendship for China, the original figures of the indemnity would be revised.

"True to the promise of the executive officers I received a note from Secretary Root saying that the President desired him to say that in his message to Congress he would be pleased to recommend that China be relieved of all obligation in excess of the final revised amount of the indemnity, which had been set at \$11,055,492. That, as you can see, will save China over \$12,000,000 and also the interest at 4 per cent.

You cannot emphasize too strongly my great admiration for the fair spirit which has always characterized the dealings of the United States with my country. This final action is another monument to America's high sense of justice, and I feel called upon to say—not because I am the retiring Minister—but personally I feel that America is one of China's strongest friends."

THE PRESIDENT NOT MIDDLING.

He Denies That He Has Had Any Hand in the Reapportionment Matter.

OYSTER BAY, N. Y., June 18.—Provoked by the statement which appeared in a morning paper that he undoubtedly had a hand in the reapportionment situation in New York State and Chairman Parsons of the New York county Republican committee and State Chairman Woodruff were presuming to speak for him in the matter, President Roosevelt late this afternoon gave out, through Secretary Loel, the following statement:

The statements that have been appearing in the newspapers that the President has interfered in any way in the reapportionment matter are so absurd that it is hardly worth while to notice them.

The President has not only taken no hand one way or the other, but has not the slightest knowledge of the matter. The reapportionment matter has not only never expressed any opinion, but has not been consulted about either plan.

If he had been consulted he would, of course, have declined to express any opinion whatsoever concerning either.

MRS. SCOTT LADD ARRESTED.

Wife of Supreme Court Justice in Iowa in Trouble Over Hysterical Converts.

DES MOINES, June 18.—Mrs. Scott M. Ladd, wife of Judge Ladd of the Supreme Court of Iowa, was arrested this afternoon on a warrant issued from police court on the charge of disorderly conduct and disturbing the peace. Information was filed by Paul Jones and others living in the vicinity of a mission conducted by Mrs. Ladd in South Des Moines.

At her religious services here Mrs. Ladd, who preaches the Pentecostal Power, has thrown converts into states of hysteria from which they have not recovered for days at a time. Persons receiving the "power" shout and scream. One man became unconscious a few weeks ago and lay two days and two nights on the floor of the mission. Mrs. Ladd says that those who have been prostrated are able to speak in a strange tongue when they regain consciousness.

Genuine crystal pebble eyeglasses, the cool kind that never melt, at Spencer's, 51 Maiden Lane.—Ad.

INDIAN WILL VISIT BRYCE.

Chief Parker of the Comanches Accepts an Invitation to Go to London.

LAWTON, Okla., June 18.—Quannah Parker, chief of the remaining members of the Comanche Indians, who was host at a dinner in his home here on Sunday evening for Ambassador James Bryce of England, has resolved to visit England and other European countries next year. He says he will go on an invitation of Ambassador Bryce to return the visit of the Ambassador in the latter's London home. Parker will be accompanied by his favorite wife, Tonoloway, who on Sunday evening prepared and served the first luncheon given in the home of a red blanket Indian in honor of a British diplomat.

Ambassador Bryce talked with Parker of the manners and customs of his people. The Bryce party spent part of Sunday afternoon with Geronimo, the Apache warrior, exploring some parts of the Wichita Mountains, the haunts of the Redskins for centuries and in the evening went out to the mountain house of Parker.

Mr. Bryce declares that in the Comanches and Apaches he found the typical American Indian, and no small part of his forthcoming volume upon the Indian will be devoted to these.

Mrs. Birdsong, the educated daughter of Chief Parker, who is writing her father's biography, received the guests in hospitable frontier style and interpreted his words for her father.

BETTER RAILS NEEDED.

C. M. Schwab on How to Prevent Railroad Wrecks—Complaint of Missouri Pacific.

CLEVELAND, June 18.—Charles M. Schwab to-day declared that railroads should use a better quality of rails to prevent wrecks. "The railroads' assertion that many accidents are due to the poor quality of rails is true," he said. "I believe not only in an open hearth steel rail but I would go still further and make a nickel alloyed rail, by which I mean a harvezy rail. They should use a rail that can be depended upon at all times, practically safe forever. And the mills will make them. They will make anything for which there is a demand."

FOR SCOTT, Kan., June 18.—Formal complaints instigated by the National Union of Railway Trackmen and signed by S. J. Sheppard, secretary of the organization, were mailed to-day by Sheppard to the Board of Railroad Commissioners of Kansas and to the State Board of Railroad and Warehouse Commissioners of Missouri. The complaint sets out that by its long continued practice of not furnishing sufficient material to keep its tracks in repair the Missouri Pacific has in use on a large part of its lines rails that are rotten, decayed and old worn out rails. Instead of employing the proper number of men on each section it has on most of its sections only a foreman and one or two men. It provides, it is declared, neither trackwalkers for day or night. As the results of these conditions the Missouri Pacific, it is alleged, is operating its trains over tracks that are dangerous and unfit for the transportation of passengers with reasonable safety.

DR. GEORGE T. TYLER MISSING.

Well Known Philadelphia Physician Supposed to Have Joined the Army.

PHILADELPHIA, June 18.—Dr. George T. Tyler, a well known physician here, is missing. It is said that Tyler enlisted in the army, but what led him to give up his home, his practice and the company of his wife and child his friends are unable to say.

Mrs. Tyler, who is worth a million and who before her marriage was Miss Theresa P. Cole, a granddaughter of the late John C. Bullitt, author of Philadelphia's present charter, has taken her child and gone to Europe, Mrs. John W. Cole, at Wayne. She said to-day that her husband had been longing for army life and that an opportunity to gratify his desire came to him recently.

It was through his wife's social position that Dr. Tyler built up a large practice. He had his office at home, 226 Locust street. About a month ago he packed his household goods and closed his house, although the lease does not expire until September.

ANTI-TAFT MEN WIN.

Kentucky Republicans Choose Judge Holt for Their Temporary Chairman.

LOUISVILLE, June 18.—The anti-Taft forces here today won a victory by electing Judge Holt as their temporary chairman at a Republican convention held here today. The State central committee selected Judge W. H. Holt as temporary chairman of tomorrow's convention here instead of W. Marshall Bullitt, the Taft representative. A telegram from ex-Internal Revenue Commissioner John W. Yerkes, confined to his room in a Cincinnati hotel as the result of a fall, brought about the selection of Judge Holt.

Ex-Gov. W. O. Bradley will be permanent chairman of the convention, which will nominate Augustus E. Willson of this city for Governor.

BANKHEAD GETS DEFIANT.

Says Alabama Legislature Will Not Dare to Refuse Him the Senatorship.

MONTGOMERY, Ala., June 18.—Senator Bankhead, the Governor's appointee, declared in a public statement to-day that the Alabama Legislature dare not hide behind technicalities and defeat the will of the people but must name him Senator in regular succession to the late Senator Morgan. His name was accepted as alternate at the previous election in event of the death of either of Alabama's two Senators.

MOTOR BOAT DEN WRECKED.

Snags in Two When Dropped From a High Wave in the Sound.

BRIDGEPORT, Conn., June 18.—The power boat racer Den, owned by Joseph H. Hoadley of New York, president of the International Power Company, was wrecked this afternoon in Long Island Sound, half a mile from Bridgeport light-house, during a speed test with a new propeller. Charles G. Herreshoff, nephew of Nat Herreshoff, and the inventor and builder of the Den, with his mechanic, Edward J. Sherman, were thrown into the water and were rescued by Lighthouse Keeper Wright. They kept afloat by clinging to a cushion seat, the only part of the boat which remained afloat.

It was rough on the Sound and under a speed which Mr. Herreshoff estimates at twenty-eight knots the Den rose on the crest of a wave and her hull, which is only three-sixteenths of an inch thick, was cracked in striking the surface of the water. The Den was broken in two parts and ship and her machinery and hull sank to the bottom. Mr. Hoadley has made arrangements to recover the motor.

ASCOT GOLD CUP STOLEN

POLICEMAN TURNED HIS BACK AND IT VANISHED.

Was on Exhibition Behind Grand Stand at Famous English Race-track With Two Guardians—Worth \$2,500 and Probably Was Melted at Once—Two Others Left.

SPECIAL CABLE DISPATCH TO THE SUN.

LONDON, June 18.—The Ascot gold cup, valued at £500, or about \$2,500, which was to be run for on June 20 was stolen this afternoon from a table back of the grand stand at Ascot, where it was being exhibited in accordance with custom. On either side of the stolen trophy stood the King's gold vase and the Royal Hunt cup, the former of which was won to-day while the latter is to be competed for to-morrow. Neither of these was touched.

The cups were in charge of a representative of the makers, Garrard & Co., and a policeman. While the race for the gold vase was on Garrard's man was absent for a few minutes, leaving the policeman in charge. The latter was then accosted by a well dressed man of gentlemanly manners who asked to be directed to the telegraph office.

Apparently while the policeman was giving the desired information the inquirer's confederate entered and stole the cup, for when the policeman turned he saw to his horror and amazement that the centre cup of the three was gone.

There is no clue to the thief. The cup has probably been melted already. The thief's self-repression in contenting himself with one cup, while the others were equally accessible, taken as a proof of experience. An expert bungler might have attempted a larger haul and spoiled success. The discrimination in the selection is accountable by the fact that the gold cup is worth £500, while the gold vase is worth only £200, or \$1,000, and the Hunt cup £200 or \$1,500.

The missing trophy is of twenty carat gold, and weighs sixty-eight ounces. It is 13½ inches high. It is one of the oldest trophies connected with the Ascot meeting. It is given annually by the Ascot race executive, with 3,000 sovereigns added, for entire colts and fillies, for a race at a distance of two miles and a half.

The first cup was presented in 1807 and was given annually under its present name until 1844. In 1845 the Earl attended the Ascot meeting and asked to be allowed to present the trophy. He did so, and its title became the Emperor's Plate. It kept that name thereafter until the Crimean War, when, in 1854, the old title was resumed and it has since been retained.

The most winners include many of the most famous horses in the history of the turf. The thief left a gold pedestal weighing thirty-five ounces. The loss, it is understood, falls on Garrard & Co., at whose request and risk the cup was exhibited.

The Queen will view the races to-day and on Thursday they will be witnessed by the Prince and Princess of Wales, the Duke of Connaught, Prince Christian, Prince Louis of Battenberg, besides, of course, King Edward, so there will be no lack of royal eyes.

There are not so many houses left this summer, as the motors have put a different complexion on the famous function. Many people who used to spend the week at Sunningdale, Windsor and other environs now run up and down daily, but quite a number of Americans have taken houses, including the Bradleys-Martins, Mrs. McCreery, Mrs. Potter Palmer and Mrs. Adair, the latter of whom will send a large party of young people from the Adair place, including her niece, The Post-Drexels have rented a charming river-side retreat near Windsor Castle.

The King and Queen drive in state to-day and on Thursday entertain a considerable party at luncheon. The royal stand includes a large luncheon room with kitchens, offices and a smoking room.

ASKS DICKINSON TO QUIT.

But New Jersey's Secretary of State Won't Quit for Gov. Stokes.

TRENTON, N. J., June 18.—Col. Samuel D. Dickinson, the regular Republican leader of this county, was asked by Gov. Stokes this afternoon to resign his position as Secretary of State. He refused to do so and the verbal request will be followed by a more formal demand in writing.

It was the first time that the Governor and Col. Dickinson had met since the latter withdrew his libel suit for \$100,000 against Mayor Mark M. Fagan of Jersey City, and the request of the Governor was in accordance with his announced plan of demanding Col. Dickinson's retirement when he learned of the withdrawal of the suit. The proceedings against Mayor Fagan were begun with the avowed intention of vindicating Col. Dickinson from charges affecting his private life, which was one of the conditions upon which he was reappointed a few months ago.

The conference between the Governor and the Secretary of State for the purpose of the "Tuesday" luncheon at which the Governor and heads of State departments are accustomed to meet.

Col. Dickinson had no word that he would attend these weekly gatherings no more while Gov. Stokes was in office. When the Governor learned of this he at once sent a messenger to Col. Dickinson urging his attendance.

The two remained for nearly an hour after all the other diners had left and it was then that the Governor tried to impress upon Col. Dickinson the necessity for his retirement from office.

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TAFT'S TRAIN BREAKS DOWN.

The Truck Over Which the Secretary Was Sitting Gave Way.

COUNCIL BLUFFS, Ia., June 18.—The Chicago and Northwestern train conveying Secretary Taft and party to Omaha, was delayed two hours at the Edge, Missouri Valley, this afternoon as the result of the breaking of the forward truck of the coach in which the Secretary was riding and over which he was squarely sitting.

The train was barely moving at the time and no serious results followed. The Secretary was charged with having caused the breakdown and he promptly expressed willingness to shoulder the responsibility. Shop hands from Missouri Valley repaired the break and the train nearly made up the time to Omaha.

OMAHA, Neb., June 18.—Secretary of War Taft spoke to two audiences in Omaha to-night, the occasion being the opening of the new Y. M. C. A. building at which Mr. Taft was the guest of honor. Before making his formal speech within doors Taft spoke briefly to those without the building.

Mr. Taft and party left for Leavenworth, Kan., at midnight.

KAISER'S GREAT AUTO ROAD.

Will Be 31 Miles Long, With Curves for Long and Short Races.

SPECIAL CABLE DISPATCH TO THE SUN.

BERLIN, June 18.—It is understood that the autodrome suggested by the Kaiser will be designed to eclipse anything of the kind in the world. It will be equipped not only with several straightaway graded tracks for short distance racing, but with a magnificent long distance course, full thirty miles long, made to resemble a run highway.

There will be a series of dangerous curves, descents and hazards, while the grand stands will accommodate something like a million onlookers. Privy Councillor von Friedlander has been entrusted with the organization of the scheme and is raising \$5,000,000 toward its cost.

GALLAGHER SHUT OUT.

Acting Mayor of San Francisco Barred From His Office by a Policeman.

SAN FRANCISCO, June 18.—Supervisor Gallagher, who was made Acting Mayor yesterday, did not get into Mayor Schmitz's office to-day because Policeman Fanning, who has guarded the office throughout the incumbency of Mayor Schmitz, stationed himself at the main entrance and locked and barred the doors. He declared he had orders from Schmitz to keep out Gallagher and all others. Gallagher said:

"The Mayor's office is wherever the Mayor is. If I'm refused admittance to the Mayor's office at Post and Franklin streets it is easy enough to create another office. I think, however, that when the owner of the property is informed that a supervisor has canceled the lease to that place he will probably take a hand himself."

"We haven't decided on any definite plan of reformation yet."

PRINCE TO WED ACTRESS.

Eugen Thomas Is Related to the Danish Royal Family—Villy Larsen the Bride.

SPECIAL CABLE DISPATCH TO THE SUN.

COPENHAGEN, June 18.—A romantic love match became known to-day. Prince Eugen Thomas, a relative of the Princess of Saxburg-Lippa, being thus connected with the Danish royal family, three years ago met Villy Larsen, a Danish actress, in Vienna.

She was young and poor. The Prince fell in love with her. He travelled extensively, striving to forget her. She arrived unexpectedly in Copenhagen and the Prince proposed to her and was accepted.

They will be married shortly at the Prince's castle in Hungary. The Prince has given his fiancée half a million kroner, or about \$125,000.

TREVOR BROTHERS KILLED.

Well Known Dry Goods Men of Cincinnati Victims of an Auto Accident.

CINCINNATI, June 18.—Thomas Trevor, aged 50, and his brother Alfred Trevor, partners in a leading dry goods firm of the H. & S. Page Company, were killed to-night, and Thomas Walsh, a laborer, had his leg broken in an automobile accident. Walsh was walking on the sidewalk and was struck by the automobile, which had collided with an electric light pole. Thomas Trevor was instantly killed and Alfred died at the City Hospital.

The machine was driven by William Schulz, a chauffeur, and came in contact with an electric light post of the Reading road near the Hunt street pumping station when an endeavor was made by Schulz to dodge a wagon.

VERDICTS AGAINST HANKS.

Roosevelt's Former Railroad Friend Must Pay for a Libelous Speech.

WIFE SEES MERCHANT SLAIN

J. T. ROSENHEIMER MURDERED IN HIS GARDEN AT PELHAM.

Secretary of London Needle Co. Assaulted While Walking With His Wife—His Skull Crushed—Police Unable to Learn the Motive—May Have Been Robbery.

PELHAM, N. Y., June 18.—While walking in the garden of his home, The Rosess, after dinner this evening, Julius T. Rosenheimer, a wealthy resident of Pelham and secretary of the London Needle Company of 112 East 125th street, Manhattan, was murdered by two men who sprang from the bushes and attacked him. The police think the murderers struck their victim with a heavy, short handled sledge such as is used in trimming stone.

Almost before Mr. Rosenheimer had time to cry to his wife his skull was crushed. Mrs. Rosenheimer fainted at the horrible sight and late to-night she was able to give only a very disconnected story of the tragedy.

It was learned from members of the family that Mr. Rosenheimer and his wife were walking along when they call the pony path in the rear of the house, because the path leads to the pony stable and garage, when Mr. Rosenheimer saw two men step into the path.

"Who are those men coming this way?" exclaimed Mrs. Rosenheimer as she clutched her husband's arm.

"I don't know who they can be," he replied. "Just wait here and I will go and see."

Mr. Rosenheimer, who was 60 years old, had gone only a few steps when the men sprang upon him and his wife heard him exclaim:

"Oh, mother, they are killing me!" Mrs. Rosenheimer shouted for help and then fell in the path in a faint.

In the house at the time were Mr. Rosenheimer's son Edward, who was boxing in the basement with Kid Everett, formerly instructor of the New Polo Athletic Club of New York; his son-in-law, James P. Curmen, and his daughter, Mr. Curmen, who heard the cries of Mrs. Rosenheimer, first, rushed out to the garden and as soon as he learned what had happened he ran back into the house and got a revolver and began shooting to attract the police.

They were quickly joined by Edward Rosenheimer and his boxing instructor and the three men carried Mr. Rosenheimer into the house. They found that he was dead and that his skull had been crushed in. There is a report that the merchant's pockets were rifled and that his gold watch was gone, but this cannot be verified.

Chief of Police Marks of Pelham and Acting Chief Atwell of Mount Vernon and a squad of policemen were quickly on the ground, but at a late hour they have not found the weapon with which Mr. Rosenheimer was killed.

Recently Mr. Rosenheimer had been spending about \$10,000 on improvements on his place, which is one of the largest in Pelham, and he had employed a large gang of Italians on the work. There is a report that a few days ago he had trouble with one of the workmen and that the man raised a shovel to strike him, but was prevented from doing so.

The police are working on the theory that the crime was committed by Italians and that their motive was revenge for some fancied grievance. They found that he was dead and that his skull had been crushed in. There is a report that the merchant's pockets were rifled and that his gold watch was gone, but this cannot be verified.